**DOCKET NO.:** TIBO-0029 **Application No.:** 09/836,477

Office Action Dated: November 2, 2005



#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No.: 8810

**Group Art Unit: 1631** 

Examiner: Lori A. Clow

In re Application of:

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Pascale Alfons Rosa Dehertogh and Rudy

Jean Marc Mortier

**Application No.:** 09/836,477

Filing Date: April 18, 2001

For: Methods for Measuring Therapy Resistance

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### **DECLARATION PURSUANT TO 37 C.F.R. 1.131**

We, Kurt Hertogs and Rudy Jean Marc Mortier, declare as follows:

- 1. We are two of the five named inventors in the above-identified application.
- 2. We have read the specification and the claims as originally filed in the application and as presented in the pending claims shown in the attached Exhibit A. Each of us, together with Brendan Larder, Stuart Bloor and Pascale Alfons Rosa Dehertogh, contributed to the conception of the invention as defined by one or more of the claims as set forth in Exhibit A.
- 3. Before March 2000, we completed the invention in this country, or in a NAFTA country, or a WTO member country. Our actual reduction to practice of the claimed invention, directly or through persons under our direction and control, before March 2000, is evidenced by the following:
- Attached as Exhibit B is a true and accurate copy (except for redaction of dates) of witnessed report, prepared by Kurt Hertogs ("the Hertogs Report"). Hertogs memorializes the claimed invention as shown in Exhibit A. The Hertogs Report at Exhibit B, is dated prior to March 2000.

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B. The Hertogs report discloses in Exhibit B at page 4, ¶1.1, the "System and System Features to be tested" which discloses the steps as claimed in pending claim 1.

- C. The Hertogs report discloses in Exhibit B "VircoGen II, i.e., the prediction of genotypic resistance based on available phenotypic data." (see Exhibit B at page 4, ¶1.1).
- D. The Hertogs report in Exhibit B at page 4, ¶1.1, describes, in detail, new steps to validate the calls based on phenotypic data. The new steps include:
  - 1. Create Hot Spots from rules, or use a set of predefined Hot Spots (preferred) (see Exhibit B at page 4, ¶1.1).
  - 2. Import a reference set of genotypic and phenotypic data (AV\_Data). The program will identify sequences belonging to each Hot Spot and link them to the Hot Spots (see Exhibit B at page 4, ¶1.1).
  - 3. From the Hot Spots "Special" button, recalculate the Phenotypic Sets. This will link the set of corresponding phenotypes to each Hot Spot (see Exhibit B at page 4, ¶1.1).
  - 4. For each test sequence, a report is created using the new method to determine genotypic resistance. A set of "Profiles" is automatically calculated for each drug. A profile consists of a set of Hot Spots (either positive or negative). To belong to a profile, a test sequence must have an identical profile. The mean and median phenotypic resistance are also calculated for each Profile (see Exhibit B at page 4, ¶1.1).
- E. The Hertogs report discloses in Exhibit B at page 8 examples of drugs used in the method as claimed.
- F. The Hertogs report discloses in Exhibit B at page 8 the following note: "he[sic] phenotypes and sequence data should be imported, the hot spots should be correct and the phenotype set should be calculated before starting the test script."
- G. The Hertogs report discloses in Exhibit B at page 21 various fields in an Excel file which include: sequence identifier; drug (compound tested), fold resistance observed in the antivirogram linked to a sequence; phenotypic call for the real data; and original virtual fold resistance.
- H. The Hertogs report discloses in Exhibit B at page 24 under the header "7. Test Summary Log" the following: "Verify the scoring of genotypic calls in the VircoGen<sup>TM</sup> database (virtual phenotypes)".
- I. The Hertogs report in Exhibit B therefore shows in detail all the steps to be performed to arrive at the result as claimed in Exhibit A.

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4. All statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true. These statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date

27 Janvary 2006

Date

Rudy Jean Marc Mortier

489338

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#### PENDING CLAIMS

## I. Listing of Claims:

- 1. **(Previously Presented)** A method of determining a phenotype of a retrovirus, wherein the retrovirus is the Human Immunodeficiency Virus, comprising:
  - a) obtaining a genetic sequence of the Human Immunodeficiency Virus;
- b) identifying a mutation pattern of the genetic sequence of the Human Immunodeficiency Virus, wherein said mutation pattern comprises at least one mutation that correlates to resistance to at least one therapy;
- c) searching a relational genotype/phenotype database for at least one database mutation pattern similar to said mutation pattern of the genetic sequence of the Human Immunodeficiency Virus;
- d) obtaining at least one database phenotype of the at least one database mutation pattern; and
- e) determining the phenotype of the Human Immunodeficiency Virus from the at least one database phenotype.
- 2. (Original) The method of claim 1, wherein a series of phenotypes is obtained by repeating steps b) through e) for each therapy in a group of therapies.
- 3. **(Previously Presented)** The method of claim 1, wherein said mutation pattern of the genetic sequence of the Human Immunodeficiency Virus is specific to a therapy.
- 4. (Previously Presented) The method of claim 1, wherein the Human Immunodeficiency Virus is obtained from at least one of a plasma sample, a blood sample, a saliva sample, mucous sample, and a tissue sample.

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## **PENDING CLAIMS**

## 5-7. (Canceled)

8. (Previously Presented) The method of claim 1, wherein said at least one mutation is chosen from a frame shift mutation, a base substitution, and an epigenetic mutation.

#### 9-12. (Canceled)

13. **(Previously Presented)** The method of claim 1, wherein the genetic sequence of Human Immunodeficiency Virus is the genetic sequence of the protease region of the Human Immunodeficiency Virus genome, the genetic sequence of the reverse transcriptase region of the Human Immunodeficiency Virus genome, or the genetic sequence of the protease region and reverse transcriptase region of the Human Immunodeficiency Virus genome.

#### 14-15. (Canceled)

- 16. (Previously Presented) The method of claim 1, wherein said mutation pattern of the genetic sequence of the Human Immunodeficiency Virus comprises at least two mutations that correlate to resistance to at least one therapy.
- 17. **(Original)** The method of claim 1, wherein the search of the relational genotype/phenotype database for at least one sample with a similar mutation pattern uses cluster searches.

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- 18. (Previously Presented) The method of claim 1, wherein the database mutation pattern comprises at least one mutation found in said mutation pattern of the genetic sequence of the Human Immunodeficiency Virus.
- 19. **(Previously Presented)** The method of claim 1, wherein the database mutation pattern is a mutation pattern in which at least about 50% of the mutations are identical to said mutation pattern of the genetic sequence of the Human Immunodeficiency Virus.
- 20. (Previously Presented) The method of claim 19, wherein the database mutation pattern is a mutation pattern in which at least about 80% of the mutations are identical to said mutation pattern of the genetic sequence of the Human Immunodeficiency Virus.
- 21. (Previously Presented) The method of claim 20, wherein the database mutation pattern is a mutation pattern in which at least about 90% of the mutations are identical to said mutation pattern of the genetic sequence of the Human Immunodeficiency Virus.
- 22. (Previously Presented) The method of claim 21, wherein the mutations of the database mutation pattern are identical to said mutation pattern of the genetic sequence of the Human Immunodeficiency Virus.
- 23. **(Previously Presented)** The method of claim 1, wherein the phenotype of the Human Immunodeficiency Virus is a mean fold-change in resistance, wherein said mean fold change is obtained from all of the database phenotypes obtained in step d).

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#### **PENDING CLAIMS**

- 24. (Previously Presented) The method of claim 1, wherein the phenotype of the Human Immunodeficiency Virus is expressed as an IC<sub>50</sub>.
- 25. (Previously Presented) A method of reporting a phenotype for a Human Immunodeficiency Virus, comprising generating a report having the phenotype determined using the method of claim 1.

#### 26-27. (Canceled)

- 28. **(Previously Presented)** A method of determining a phenotype of a retrovirus, wherein the retrovirus is the Human Immunodeficiency Virus comprising:
  - a) obtaining a genetic sequence of the Human Immunodeficiency Virus;
- b) searching a relational genotype/phenotype database for at least one database genetic sequence similar to said genetic sequence of the Human Immunodeficiency Virus;
  - c) obtaining a database phenotype of the at least one database genetic sequence; and
- d) determining the phenotype of the Human Immunodeficiency Virus from the database phenotype.
- 29. (Previously Presented) The method of claim 28, wherein the at least one database genetic sequence is at least about 60% identical to the genetic sequence of the Human Immunodeficiency Virus.
- 30. (Previously Presented) The method of claim 29, wherein the at least one database genetic sequence is at least about 70% identical to the genetic sequence of the Human Immunodeficiency Virus.

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- 31. (Previously Presented) The method of claim 30, wherein the at least one database genetic sequence is at least about 80% identical to the genetic sequence of the Human Immunodeficiency Virus.
- 32. (Previously Presented) The method of claim 31, wherein the at least one database genetic sequence is at least about 90% identical to the genetic sequence of the Human Immunodeficiency Virus.

## 33-38. (Canceled)

- 39. (Previously Presented) A computer program for determining a phenotype of a retrovirus, wherein the retrovirus is the Human Immunodeficiency Virus, wherein the program is comprised on a computer readable medium, comprising:
- a) receiving a genetic sequence from the Human Immunodeficiency Virus from a patient;
- b) identifying a mutation pattern of the genetic sequence of the Human Immunodeficiency Virus, wherein said mutation pattern comprises at least one mutation that correlates to resistance to at least one therapy;
- c) searching a relational genotype/phenotype database for at least one database mutation pattern similar to said mutation pattern of the genetic sequence of the Human Immunodeficiency Virus;
- d) obtaining at least one database phenotype of the at least one database mutation pattern from the relational genotype/phenotype database;
  - e) determining the at least one phenotype of Human Immunodeficiency Virus from

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## **PENDING CLAIMS**

the at least one database phenotype; and

- f) providing the phenotype of the Human Immunodeficiency Virus sample.
- 40. **(Original)** The computer program of claim 39, wherein a series of phenotypes is obtained by repeating steps b) through e) for a group of therapies.
- 41. **(Previously Presented)** The computer program of claim 40, wherein the phenotype of the Human Immunodeficiency Virus is provided in a report.
  - 42. (Canceled)



Test Script for the Validation of

VIRIS.

Laboratory Management Information System (LIMS)

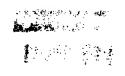
**TS-VG-Genotype Calls** 

**Edition Nr 3** 

IT IS FORBIDDEN TO COPY THIS DOCUMENT

	Name	Signature	Date
Author	Frank Peeters	4-	
Reviewer	Kurt Hertogs	Jen 7	
Approver	Guido De Schrijver	9.14	

Revision History				
Version Date Reason				
	Validation of the Genotypic calls in VircoGen			
	Validation of VircoGen II			
	Validation of data cleaning routine			



# Exhibit B

VIRIS Computer System Validation	VIRIS
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	•
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## 1. Purpose

## 1.1 System and System Features to be tested

The present Test Script verifies the core functionality of VircoGen II, i.e. the prediction of genotypic resistance based on available phenotypic data. The analysis is based performed on the same data set used to validate VircoGen<sup>TM</sup> (rule-based interpretation) The latter validation consisted of three steps:

- Alignment of reference and test sequences
- Selection of the "documented" mutations (i.e. the mutations known or suspected to cause resistance)
- Rule-based analysis of the documented mutations. The genotypic data were scored as follows:
  - No evidence of resistance (green score)
  - Resistance possible (orange score)
  - Evidence of resistance (red score)

The new steps to validate the calls based on phenotypic data include:

- Create Hot Spots from rules, or use a set of predefined Hot Spots (preferred)
- Import a reference set of genotypic and phenotypic data (AV\_Data). The program will
  identify the sequences belonging to each Hot Spot link them to the Hot Spots.
- From the Hot Spots "Special" button, recalculate the Phenotype Sets. This will link the set of corresponding phenotypes to each Hot Spot.
- For each test sequence, create a report using the new method to determine genotypic resistance. A set of "Profiles" is automatically calculated for each drug. A profile consists of a set of Hot Spots (either positive or negative). To belong to a profile, a test sequence must obey to all of the positive Hot Spots, and may not belong to any of the negative Hot Spots. The Mean and Median phenotypic resistance are also calculated for each Profile.

In addition the routine to clean the data based on the 3 sigma levels needs to be validated.

All calculations must be performed in VircoGen II, and in parallel using a dedicated Excel file that performs identical calculations, or a statistical package such as Statistica.

## 1.2 Reference Documentation

The documents references in this Test Script are the related Validation Plan and Test Plan, which are based on the EU Annex 11 Guidelines.

Other reference documentation includes the VIRIS User Manual and the System Design Specifications which are used to optimise the computer program during the testing and implementation phase.

## 2. Special Requirements

Special Requirement	Description		
Prerequisite procedures	Preparation of a genotype-phenotype analysis programs in Excel: Profile Template.XLS Pheno-Spread Template.XLS Report_Data Template.XLS		
Special skills required	Thorough knowledge of VircoGen II, Excel and Statistica Knowledge of the 4D Quick Report Editor  Thorough knowledge of the 4D Quick Report Editor		
Environment requirements	Power PC with at least 64 Mb of internal memory     IBM compatible computer running Statistica		

## 3. Test Approach

This section describes the approach to be followed for:

- 1. Specifying the tests (Test Script).
- 2. Executing the Test Script and completing the Test Log,
- 3. Resolution of unexpected events.

## 3.1 Test Preparation

A Test Script consists of a number of steps that are executed sequentially. Each step specifies the action to be performed, the results that are expected, and the pass/fail criteria for the test. The steps to be executed are specified in section 4 of this Test Script.

## 3.2 Test Execution Procedure

- 1. The Test Script is also the template for the Test Log. Before executing the Test Script, a copy of this Test Script is made and the title is changed to identify it as appropriate Test Log.
- When a step is executed, the actual result is entered in the Test Log to mark its completion.
- 3. For each step, the observed and expected results are compared. The tester writes "pass" or "fail" in the space provided, depending on the outcome.
- 4. Section 5 of the Test Log describes all errors and all anomalies observed. Anomalies are any observations of system behaviour that is not expected.
- 5. Section 6 of the Test Log describes notes that are required to interpret correctly the observed behaviour of the system. Abnormal environmental conditions are also noted. Test criteria that are not set correctly may require that updated criteria are used and the test continued. This will also be explained by means of an explanatory note.
- 6. At the completion of all procedure steps, a Test Summary is written.

# 3.3 Resolution of Unexpected Events

Anomalies are noted and discussed with the IT Director who will perform further actions. These actions have to be documented in an "Anomaly and Change Request Form".

## 4. Test Script Steps & Test Log

## Instructions for Building the Test Script

- Describe any preparation that is required before, the test can be carried out
- Describe the set of input data that are used (test case).
- Describe the Test Procedures. A Test Procedure may consist of a number of steps that are performed in a specified sequence
- Describe the steps necessary to accomplish the Test Procedure. Write exactly what the tester will do and
  what will be the input to this step
- List the results that are expected or refer to an appended sheet or printout. There may be a number of
  expected results, depending on the complexity of the test you are performing.
- · State what are the pass/fail criteria for the tests.
- The length of the test procedure will depend on the complexity of the test to be performed.

The following table describes the various steps to be performed to test the feature or set of features that will be tested in this test script. The Test Log entries and the list of anomalies (=unexpected results) are completed when executing the script.

SECRETARIO SELECTION OF THE SECRETARIO SECRETARIO SECRETARIO SELECTION OF THE SECRETARIO			Test Log		
Procedure / Steps	Expected Result	Pass Note		Anomaly	
		Fail	Log	Log	
Start VircoGen II	Main screen and menu appear		1		
Open File - Test Sequences	The main view of the sequences table				
	appears.		F		
For a test sequence from Test Case 1.	The screen can be pasted in Word.				
execute the "Analyse Sequences" program	File created: "Rule Analysis Results"				
from the "Special" button. Select the					
"Resistance" analysis. Copy the result				1	
screen to the clipboard.			<u> </u>	<u> </u>	
Open the "Interpretation Settings" and set	When creating a report, the Database Pheno		1		
the "Minimum amount of matches needed	Spread will not be calculated yet.		1	1	
for interpretation" to a value of 1000			1		
(above the number of sequences in the				1	
database).		<u> </u>	<del> </del>	<del> </del>	
Open the Test Sequences and make a report	An R in front of the Sequence indicates that	[			
for the sequence your are working on. To	the report has been generated.	ł	1		
do this, use the "Special" button "Create		1		1	
Reports".	and strong and state	l	1		
Respond "No" to the question "Save	The profiles are NOT saved to the table		1	1	
Analysis Data".	"MedianFR_Values".	<del> </del>	<del> </del>	+	
Go to the Reports table and print the	Report is printed.			1	
report on paper.	All results should be calculated using the				
	rules (Rule-based interpretation).	<del> </del>	<del></del>	+	
Compare the genotype calls obtained from	The results should be identical, since they are	1	1	1	
the "Analysis" (in Rule Analysis Results	both obtained using a rule-based	1	1	1	
Excel file) with the results on the reports.	interpretation.	<del> </del>	+	+	
Open the Excel file "Profile	The 2 <sup>rd</sup> worksheet (Virco ID) is updated with		1	1	
Template.XLS" and copy the sequence you		1			
are working on in row 2 of the "sequences"	the new sequence information	1		1	
worksheet.	A subset of rows containing documented	-		1	
Select the rows for which the In Report	mustions is shown.	1			
value (Column I) is TRUE.		1	1	<del>                                     </del>	
Compare the mutations with the mutations	highlighted in yellow in the Hot Spots	1		1	
on the picture of the report printed from VircoGen II	below.				
Add the Mixtures and inserts in the box			1	1	
under the Drug and Mutations		1	ŀ	1	
columns (if needed).		1		<del></del>	
Manually score the Hot Spots. Put 1 or 0	The "Excel Profile" in the "Profile"	ľ		1	
depending if the sequence obeys	worksheet should be filled out correctly.	1		1	
the Hot Spot or not.		<u> </u>			
Print the "Virco ID" worksheet.	The worksheet is printed in landscape on two	1		1	
	pages (one for the sequence data and one for	1			
	the Hot Spots).	1			
In VircoGen II. open the Test Sequences	New reports are generated for the sequences.	1	1.	1	
and make a new report for the sequence		1	-		
your are working on. To do this, use the		1		Į.	
"Special" button "Create Reports".		1	ŀ		
Respond "Yes" to the question "Save	The profiles are saved to the table	1	1	ł	
Analysis Data".	"MedianFR_Values".	-			
Open the table "MedianFR_Values" and	The profiles are saved to a text file.				

		T	 
export the drug name and profile (using the Quick Report Editor behind the Print button).	Archive these files in a folder.		
Go to the "Profiles" tab of the Excel file and paste the drug and profile in the first two columns of the sheet.	The drug s should be pasted in the following order: Saquinavir Ritonavir Indinavir DMP-266 Delavirdine Nevirapine Nelfinavir 1592 U89 3TC d4T ddC AZT ddl		
Compare the profile obtained by 4D (pasted) with the profile calculated using Excel. If everything is OK, a green value "TRUE" will be displayed in the last column of the "Profiles" sheet. If not, a red "FALSE" will appear.	The profiles from Excel should be identical to the scores from the VircoGen <sup>TM</sup> program. (after correction of eventual manual errors).		
Repeat this analysis for each Test Sequence from Test Case 1 or quit VircoGen <sup>1M</sup> , Excel and Word.	New analysis executed or quit programs.		

#### Test Case 1:

The following 28 sequences (Virco lds) were used as test cases:

101968	102636	103076
102360	102648	103084
102364	102657	103110
102382	102660	103111
102448	102663	103129
102459	102691	103173
102488	102718	105521
102611	102736	110126
102631	103067	
102635	103070	

Note: he phenotypes and sequence data should be imported, the hot spots should be correct and the phenotype set should be calculated before starting the test script.

named and Change   Expected acoust	1.	inomaly log
Start VircoGen II	.0g 1	.0g
Open File - Test Sequences  The main view of the sequences table appears.  Open the "Interpretation Settings" and set the "Minimum amount of matches needed Spread will not be calculated yet.		
Open File - Test Sequences  The main view of the sequences table appears.  Open the "Interpretation Settings" and set the "Minimum amount of matches needed Spread will not be calculated yet.		
Open the "Interpretation Settings" and set the "Minimum amount of matches needed Spread will not be calculated yet.		1
Open the "Interpretation Settings" and set the "Minimum amount of matches needed Spread will not be calculated yet.		
the "Minimum amount of matches needed   Spread will not be calculated yet.	1	
	1	
(above the number of sequences in the	1	
database).  Open the Test Sequences and make a report An R in front of the Sequence indicates that		
for the sequence your are working on. To the report has been generated.		
do this, use the "Special" button "Create		
	1	
Reports".  Respond "No" to the question "Save The profiles are NOT saved to the table	1	
Analysis Data". "MedianFR_Values".		
Analysis Date:  On the Benners table and make a print Detail screen is printed.	1	
of the Detail Screen (using \$12 with All results should be calculated using the		
Tules (Rule-based interpretation).		
Construction Settings" and set When creating a report, the Database Pheno		
the "Minimum amount of matches needed Spread will be used when at least one result is	1	
for interpretation" to a value of 1. available.		
Open the Test Sequences and make a report A new report is generated.	1	
for the sequence your are working on. To	1	
do this, use the "Special" button "Create	- 1	
Despute"	1	
Perpond "No" to the mestion "Save The profiles are NOT saved to the table	1	
Analysis Data". "MedianFR_Values".		
Gran the Banger table and make a print Detail screen is printed.	1	
All results should be calculated using the	ŀ	
Flash-it active). profiles (when phenotype data are available).		<del></del>
Compare if the common data are identical. Identical data:		
- Mutations picture	1	
- Drug name	1	
- "Mutations identified" flag	1	
- Matching rule	- 1	
- Resistance call (SIR)		
- Mean FR		
- # Sequences in set		
- # Phenotypes in set		
- Remarks		
Repeat this analysis for each Test		
Sequence from Test Case 1 or quit  New analysis executed or quit programs.		
VircoGen <sup>TM</sup> , Excel and Word.  Create the same data using the research  Verify the results. They should match the		
Citato tito dansa de la companya de		:
With Engine 1991		
Open the Test Sequences table, select all records and execute "Test VG II Engine"  A calculation is also performed to show the	1	
1 1000100 000 000 000 000 000 000 000 0	}	
I think the process of the second	1	1
	1	l
I CLIMINO TOTAL	1	
(Consolidation - Test Results). "level two" differences should be observed.		<u>l</u>

Test Case 1:

Same data as above.

PHENO SPREAD Test Procedures		Test I	************	<del>,</del>
Procedure / Steps	Expected Result	Pass	Note	Anomaly
		Fail	Log	Log
Start VircoGen II	Main screen and menu appear			<u> </u>
Open File - Hot Spots	The main view of the hot spots list appears.			
Select all hot spots corresponding to one	The hot spots list contains all hot spots for			
drug via the 'Search' button (see below for	the drug you selected. ID's should be in			
ID numbers).	ascending order.		<u> </u>	
Select a hot spot and open File - Test	The test sequences window appears			
sequences.	displaying all test sequences corresponding			1
20 designation (	to the hot spot you selected.		<u> </u>	
Select all test sequences and export their	Tab-delimited text file printed (temporary			
VircoID's using the Quick Report behind	file).		1	4
the 'Print' button.			<u> </u>	<u> </u>
Paste the VircoID's in the 'profiles' tab of	Virco Ids pasted in correct column of Profile			
the "Pheno-spread template.xis" Excel	window.			1
file. Use the correct column of the Profile		l	i	1
window (column 1 to 9).		<u> </u>	<u> </u>	
Do the same steps for every hot spot for	All Virco Ids copied into Profile window.			
the drug you're working on.		<u> </u>	1	<u> </u>
From the 'Mean and Median 28 sequences'	Printed copy with name of the drug, profiles	1		
tab in the Pheno-spread Excel file select	and mean and median FR.	1	-	
the drug you are working on. Print the		1	1	
result.			1	
Note: this tab was imported from		]	1	1
VircoGenII.		1	<u> </u>	1
In the 'Profiles' tab fill in the first profile	The Result column identifies all VircoID's of			
in the yellow profile row. Print this page.	the test sequences that are positive for that	l		
at the Jenow Prome tour	profile (identified by Yes).	<u> </u>	1	1
Select the 'AV_data' tab and filter the drug	The FR and Resistance level are displayed in			
column for the correct drug and the "In	the Patient FR column and the Res_level	1	1	1
profile" column for Yes	column respectively.			
Paste the data from the latter two columns	Mean and median are calculated, counts and			
to the A and B columns under the header	percentages for low, medium and high level			I
'Table'. Print the resulting page.	resistance are given are presented	1	1	
This is needed because otherwise "hidden"	numerically and graphically.		1	1
results will be used to calculate the Means,	The profile results are printed for that drug.	1	1	
Median and Resistance values.				<del></del>
Do the same for each profile for the drug	All Profiles calculated and printed.	1	1	
you are working on.		1	1	
For all profiles, compare the mean and	All results have to be the same.	1		
media n FR calculated in Excel with the				1
mean and median FR in the Mean and		1	1	
Median 28 sequences' tab.		1		
For the profile 000000000 look up all	The mean and medians obtained using the			
corresponding Virco ID's and their	manual method should equal the data obtained			
phenotypic data (patient FR). The latter	by 4D.	1	1	t
you find in the AV data list that you		1	1	1
access via the File_Show phenotypic data		1		
menu in VircoGenII. Calculate the mean		ŀ		1
and median FR and compare with the mean		1		1
and median FR in the 'Mean and Median				1
28 sequences' tab.		45	1	1
Write the results on the printed copy with			1	1
name of the drug, profiles and mean and			ľ	1
median FR.	<b>1</b>	1		1

## Exhibit B

## VIRIS Computer System Validation

**VIRIS** 

	the state of the s			 1
Repeat this analysis for each drug or quit	All results OK or quit VircoGen II.			l
VircoGenff, Excel and Word		<u> </u>	<u> </u>	 1

#### Test Case 1:

Same data as above.

#### Note: drug IDs:

- 1 : Saquinavir
- 2 : Ritonavir
- 3 : Indinavir
- 4 : DMP266
- 5 : Delavirdine
- 6 : Nevirapine
- 7: PMEA (do not test)
- 8 : Nelfinavir
- 9:1592 U89
- 10:3TC
- II: D4T
- 12 : DDC
- 13 : AZT
- 14 : DDI
- 2756: VX-478 (do not test)

4D - EXCEL COMPARISON Test Pro	cedures	Test		
Procedure / Steps	Expected Result			Anomaly
		Fail	Log	Log
Start VircoGen II	Main screen and menu appear			
Go to "Report_data" in the user	A Tab-delimited text file is generated.			
environment. Export at least the		1	1	1
following fields:		1		
- Virco ID				İ
- Generic Name			ľ	
- Resistance (rule-based call)		1	1	
- Mean FR		ļ		<b></b>
Import this file in the Excel file	Sheet I contains the Mean_FR (obtained		1	1
"Report_Data 28 Template.xls" and	from the pheno spread analysis) for each	1	1	1
rename the file "Report_Data 28	combination of Virco ID - Drug (364	1	1	1
sequences.xls".	records).		1	1
Make a column "Drug" that holds the				
preferred name.			4	
Open the Excel file "nnnnn.xls" in the	Sheet 2 tells to which profile each		1	
folder "Step I - Profiles" and extract the	combination of "Virco ID - Drug" belongs.			
following information from the "Profiles"	This means that the mutations observed for		1	1
worksheet:	that sequence (Virco ID) belong to these sets	1	1	
- Virco ID	of Drug - Profiles (364 records)	1		1
- Drug				
Paste this information in Sheet 2 of the		1	1	1
file "Report_Data 28 sequences.xis".		l	1	
Go to the "MedianFR_Values" table in	Sheet 3 shows the Mean and Median FR			
VircoGen II and export all the data to a	values for each Drug - Profile (160 records).	1	1	
rab-delimited text file:		1	ľ	1
- Drug			1	1
- Profile		1	1	1
- Mean_FR		1	1	İ
- Median_FR	1	1	1	
Import this file in Sheet 3 of the Excel file		1	1	1
"Report_Data 28 sequences.xls"			1	1
Make a column that concatenates the Drug			1	
and Profile fields.	This table should now contain the same		+	<del></del>
In Sheet 4, combine the information from	information as in Sheet 1. The difference is	F		1
sheets 2 and 3 to create a 364-record table	that this sheet was generated using Excel	1		1
containing the following information:	data, while sheet 1 was exported from 4D.	I	1	1
- Virco ID	dum with short I was ordered as and	1	1	
- Drug - Profile	1			1
- Mean FR			1	
- Resistance (based on Pheno spread)	ł	Ì	I	1
Make a column that compares the Mean	1			
FR values between Sheet 4 and Sheet 1.		+		
Make a column that compares the	Verify the difference. These indicate a	1		4
resistance calls between Sheet 4 and	difference between the rule-based		L	4
Sheet 1.	interpretation (VG I) and the interpretation	1	ſ	
	based on the pheno-spread (VG II).	1	1	ŧ
	It is not the intention of this validation to	ľ		
	discuss the differences.			

## Test Case 1 :

Same data as above.

## Note:

Graphical presentation of the steps performed in this script to verify the means:

Sheet 1	Sheet 2	Sheet 3	Sheet $4 = $ Sheet $2+3$
4D Export	Excel	4D (Excel validated)	Excel Combination
364 Records	364 Records	160 Records	364 Records
Sequençe	Sequence	Drug	Sequence
Drug	Drug	Profile	Drug
Mean	Profile	Mean	Profile
Menn	1270007		Mean

STATISTICS Test Procedures (1)		Test 1		<del>,</del>
Procedure / Steps	Expected Result	Pass	Note	Anomaly
troccusic v step.		Fail	Log	Log
Start VircoGen II using the production database containing the correct Hot Spots, and all available genotypic and phenotypic data of the Virco database.	Main screen and menu appear. The database should contain about 20000 genotypes and 350000 AV_Data.	fin		
Clear all Analysis results and MedianFR_Values tables.	Tables should be empty.	fen		
Go to the Hor Spots and recalculate all phenotype sets using the menu "Recalculate phenotype sets" from the "Special" button.	The sets should be recalculated	fon		
Import the sequences from Test Case 1.	The 28 sequences should be imported, and they should automatically be linked to the correct Hot Spots.	pon		
Create reports for these sequences. Save the analysis results. Print the reports.	The 28 reports should be generated and printed.	for		
Go to the Research menu "Consolidation - Show Saved Analysis".  Select a record from Test Case 2 (Virco ID  Drug) and open the AV_Data table using the menu "File - Phenotype Data".  Export all records using the Quick Report Editor (under the Print button). Export the following data:  Virco ID  Drug  Patient FR  Resistance level	All records exported into files.	for		
Repeat the step above for all drugs of the Virco Ids of Test Case 2.	All records exported into files.	for		
Combine all the exports for one Virco ID into one Excel file.  Add a column containing the Log10(FR)	Two files should be generated (one for each of the test cases described in Test Case 2).	Kon		
Import the file into the statistical program "Statistica" and perform the following statistical analysis per drug:  - Descriptive statistics  - Frequency tables  - Plot Histograms  For the Fold resistance, the Resistance level and the Log of the fold resistance	The statistics are performed and printed. Compare the results with the data obtained from 4D:  - Mean fold resistance - Number of records for each of the Resistance classes	ksos		
Repeat the previous two steps with the other Excel file.	The statistics are performed and printed. The results obtained using 4D and Statistica are identical.	for		
Quit Statistica, Excel and 4D.	All programs closed.	1		_1

## Exhibit B

## VIRIS Computer System Validation

**VIRIS** 

#### Test Case 1:

Same 28 sequences as used above.

These are imported in a database containing the complete set of genotypes and phenotypes from the Virco database.

#### Test Case 2:

All drugs of Virco ID:

102611

103076

STATISTICS Test Procedures (Correctness of data cleaning)			Test Log		
Procedure / Steps	Expected Result	Pass Fail	Note Log	Anomaly Log	
Open Statistica and use Test Case 1	Statistica opened and data available	fon			
Perform descriptive Statistics to obtain means and standard deviations (on the log values)	Statistics printed	fon			
Calculate the 3-sigma limits (mean ± 3 * standard deviation) of the log values	3-sigma limits calculated and introduced in Excel file	for			
Make a copy of the data set	Data set copied	fon	<u> </u>		
Delete the cases outside the 3-sigma limits (for each drug)	Outliers manually removed	from			
Perform the statistics: - descriptive statistics - frequency tables - histograms	Statistics performed and printed	for			
Compare the means obtained using the latter analysis with the original means	All data should be identical	pon	1		
Perform the same validation for Test Case 2.		from	113	<u> </u>	

## Test Case 1:

All drugs of Virco ID:

103076

Name copy:

103076s3

## Test Case 1:

All drugs of Virco ID:

102611

Name copy:

102611s3

7 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	of data alganizati	Test. I	408	
STATISTICS Test Procedures (Effect	Expected Result	Pass	Note	Anomaly
Procedure / Steps	Expected Result	Fail	Log	Log
	22 ATS - silvers streets d			
Use two separate 41) servers and start Test	Two 4D servers started.	for	1	1
Cases 1 and 2.	The sets should be recalculated on both	<del> </del>		
Go to the Hot Spots and recalculate all		lon	1	
phenotype sets using the menu	servers.	1	1	1
"Recalculate phenotype sets" from the	•		İ	1
"Special" button.				
Open the Sequences table, select data from	The Test Engine selects the sequences for	1	1	1
Test Case 3 and start the routine "Test	which both genotypic and phenotypic data	pay	1	1
Engine" (from the Special Menu).	are present and estimates the virtual	11	1	1 1
	phenorypes for these samples (on both	t'	1	
	servers).	<b></b>	<del> </del>	<u> </u>
Go to the Research menu "Consolidation -	Fields exported to Tab-delimited text files	i		
Median_FR values".	(about 10000 records on both servers).	A.	1	1
Export all records using the Quick Report		fran	1	1
Editor (under the Print button). Export the		, ,	1	
fields described in test case 3.		<u> </u>	<u> </u>	1
Create reports for the first 30 sequences.	The reports should be generated and printed	1	1	1
Save the analysis results.	(on both computers : original set and cleaned	fon	1	1
Print the reports.	set).	1/		
	An Excel file containing the columns			
Quit VircoGen II and open the two	described in "Test Case 4".		1	1
exported files in Excel. Combine the	ACCOUNTING THE AMERICAN	for		
results in a pairwise manner so that the	•	1	1	
real, original and cleaned results for each		Prime	1	
drug are displayed on one line.	The 2 additional columns are calculated.	1 1	1	1
Insert a column that calculates the	THE L MUNICIPAL COLUMNS AND THE	1	1	
difference between the "original" Call and		1	ł	1
the real Call, and between the "cleaned"		1	1	
Call and the real Call.	The statistics are performed and printed.			
Import the file into the statistical program	A correlation exists between the real data and	1	1	
"Statistica" and perform the following	A correlation exists between the real data and	fon	1	1
statistical analysis :	the virtual calls. The cleaned results show a	10		.1
- Descriptive statistics on all data	higher correlation than the original data.	1	1	į,
- Correlations on FR data			1	1
- Multiple regression on FR data		1	1	
- Descriptive statistics on call		1		
differences			-	<del></del>
Create new Statistica files in which the	Statistica files generated per drug. The	Por	1	
data are transformed, so that a BY analysis	classification variable CLASS can be used to	1,5	l.	-
can be performed. This means that the	perform statistics BY class, and to generate	1	1	
dependent variables are not in separate	categorised plots.	1	1	
columns, but in one column with an		1	1	1
accompanying Classification column.			1	1
Classify the data by CLASS (Real,	1	1	1	
Original or Cleaned).			1	1
Generate on file per drug.		<b>_</b>		
Perform the following statistical analysis	All resulting listings and graphs are printed	1		1
on each of the datafiles (drug files):		for	2	1
- Descriptive statistics	1	1	1 .00	
- Frequency tables		1	1	1
- Plot Histograms	*	1	ł	
- Plot Histograms - Box & Whisker plots		1	1	1
on the Fold resistance data, Calls and Call		1	1	
differences (Matches).	1	1		1
differences (winteries).				

## Exhibit B

VIRIS Computer System Validation	VIRIS
	•
Ouit Statistica, Excel and the 4D servers. All programs closed.	fan

#### Test Case 1 :

Program:

VircoGen II without "Cleaning" module

Data:

Complete copy of Virco UK production database.

Latest version of rules and hot spots.

Empty Reports. Median FR table and Phenotype results table.

## Test Case 2:

Program:

VircoGen II containing the "Cleaning" module based on the 3-sigma levels

Data:

Complete copy of Virco UK production database. Latest version of rules and hot spots.

Empty Reports, Median FR table and Phenotype results table.

#### Test Case 3:

Sequences for which an Antivirogram exists. Make random selection of about 1000 Sequences. (note: the internal memory allows that maximum 1200 sequences can be computed at once).

#### Fields to be exported:

Virco ID	Sequence identifier
Drug	Compound tested

FR

Fold resistance observed in the Antivirogram linked to a sequence

Phenotypic call (S.I,R) for the real data CALL

#### Test Case 4:

## Fields in Excel file:

Virco ID Sequence identifier Compound tested Drug

Fold resistance observed in the Antivirogram linked to REAL\_FR

a sequence

Phenotypic call (S.LR) for the real data REAL\_CAL Original VIRTUAL fold resistance (before data ORI\_FR

Original VIRTUAL phenotypic call (before data ORI\_CALL

deaning)

Difference between ORI\_CALL and REAL\_CALL ORI\_MATCH VIRTUAL fold resistance obtained after cleaning of the CLEAN\_FR VIRTUAL Call obtained after deaning of the datag CLEAN CALL

CLEAN\_MATCH

Difference between CLEAN\_CALL and REAL\_CALL

# 5. Test Execution Notes

<del></del>	Test Notes
Notes Log NR	Description
1	Apparelly some means were defined betien
	statute and 40:
	103076 Soprinson
	for me in to mand ever shing the
	Deaning.  Nousel recolculation pour the course remets.
	much in statustul report
2	GT - major I late Cleany
3	Statistica Pla to loge (mot 1600 miles)  3 2 fils generated 153 35
Handa principal and the state of the state o	

# 6. Anomalies observed

					Anomaly	Log		
A	nomaly	Log N	R	Description			 	
					•			
			1					
								:
				•				
1								
-								
1								
1								
-				1				

# 7. Test Summary Log

Summary of	Tests		
Test Procedure	Date Performed	Initials	Pass/Fail
<ul> <li>Verify the scoring of genotypic calls in the VircoGen<sup>™</sup> database (virtual phenotypes)</li> </ul>		pp	pon

# 8. Tester & Witness Signature and Date

Name	Title	Signature	Date
Tester. F feelers	SaAdula	F. 5	
Witness: Knul	Leeb. Din	ast following	
Q Anneves		<b>4</b>	

Number of pages:

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